

Message Text

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71 64

ACTION OES-02

INFO OCT-01 SS-14 ISO-00 EUR-08 IO-03 INR-05 CIAE-00 NSC-05

NSCE-00 SP-02 DODE-00 PM-03 ACDA-10 EB-03 L-01 /057 W

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R 301432Z JUL 76

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC 7885

INFO AMEMBASSY BUCHAREST

AMEMBASSY BELGRADE

AMEMBASSY BERLIN

AMEMBASSY MOSCOW

AMEMBASSY PRAGUE

AMEMBASSY SOFIA

AMEMBASSY WARSAW

AMEMBASSY OTTAWA

S E C R E T IAEA VIENNA 6337

LIMDIS

DEPT PASS IO/SCT

E.O. 11652: XGDS-1

TAGS: PFOR, TECH, ENGRG, PORG, RO

SUBJ: ROMANIAN INTEREST IN NPT EXPORTERS' COMMITTEE

REFS: (A) BUCHAREST 4222; (B) IAEA VIENNA A-380 AUG 2, 1974
(NOTAL)

1. FOLLOWING IS BACKGROUND INFORMATION FOR POSSIBLE USE IN
RESPONSE TO GOR QUESTIONS RAISED REF A.

2. ADOPTION OF NPT EXPORTERS' COMMITTEE ("ZANGGER" COMMITTEE)
UNDERTAKING IS UNILATERAL AND VOLUNTARY ON PART OF ANY GOVERNMENT
WHICH CONSIDERS ITSELF ACTUAL OR POTENTIAL EXPORTER OF NUCLEAR
MATERIAL, NUCLEAR EQUIPMENT OR RELEVANT MATERIALS OTHER THAN
NUCLEAR MATERIAL. (SEE ART. III.2 OF NPT.) LAST PARA OF
MEMORANDA WHICH WERE EXCHANGED AMONG COMMITTEE PARTICIPANTS,

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BEGINNING AUG 1974, STATES: "THE PARTICIPATING COUNTRIES OF

THE GROUP WOULD WELCOME THE ACCEPTANCE OF ITS AIMS AND PRACTICES BY OTHER SUPPLYING COUNTRIES WHETHER PARTY OR NOT PARTY TO THE NPT."

3. COMMITTEE PARTICIPATION IS ACHIEVED BY EXCHANGING WITH EACH OF THOSE GOVERNMENTS WHICH HAVE PREVIOUSLY TAKEN SAME ACTION, AN UNDERTAKING TO ADHERE TO EXPORT CONTROL GUIDELINES DEVELOPED BY THE COMMITTEE AND SET FORTH IN TWO MEMORANDA, ONE ADDRESSING NUCLEAR MATERIAL AND THE OTHER NUCLEAR EQUIPMENT AND RELEVANT MATERIAL OTHER THAN NUCLEAR MATERIAL. THIS IS ACCOMPLISHED BY DELIVERING IN CAPITALS OF EACH PARTICIPATING GOVERNMENT THE COMMITTEE'S MEMORANDA UNDER COVER OF DIPLOMATIC NOTE CONTAINING PRESCRIBED LANGUAGE. AT SAME TIME, OTHER MEMBERS ALSO DELIVER (E.G., IN THIS CASE, IN BUCHAREST) SIMILAR NOTES TRANSMITTING INDENTICAL MEMORANDA.

4. TYPICAL TEXT OF DIPLOMATIC NOTE FOR PARTIES TO NPT WHICH HAVE ESTABLISHED APPROPRIATE EXPORT CONTROL MECHANISMS, WHICH WE ASSUME IS CASE FOR ROMANIA, IS AS FOLLOWS:
QUOTE I HAVE THE HONOR TO REFER TO THE DISCUSSIONS HELD IN VIENNA REGARDING EXPORTS TO ANY NON-NUCLEAR-WEAPON STATE FOR PEACEFUL PURPOSES OF (A) SOURCE OR SPECIAL FISSIONABLE MATERIAL AND (B) EQUIPMENT AND MATERIAL ESPECIALLY DESIGNED OR PREPARED FOR THE PROCESSING, USE OR PRODUCTION OF SPECIAL FISSIONABLE MATERIAL. I ALSO REFER TO THE COMMITMENT OF MY GOVERNMENT UNDER ARTICLE III, PARAGRAPH 2 OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS NOT TO PROVIDE SUCH NUCLEAR MATERIAL, EQUIPMENT OR MATERIAL TO ANY NON-NUCLEAR-WEAPON STATE FOR PEACEFUL PURPOSES, UNLESS THE NUCLEAR MATERIAL SO PROVIDED OR THAT WHICH IS PRODUCED, PROCESSED OR USED IN OR BY THE EQUIPMENT OR MATERIAL SO PROVIDED IS SUBJECT TO SAFEGUARDS UNDER AN AGREEMENT WITH THE INTERNATIONAL ATOMIC ENERGY AGENCY.

I AM ABLE TO INFORM YOU THAT THE PROCEDURES FOR CONTROLLING EXPORTS OF SOURCE AND SPECIAL FISSIONABLE MATERIAL AND OF EQUIPMENT AND MATERIAL ESPECIALLY DESIGNED OR PREPARED FOR THE PROCESSING, USE OR PRODUCTION OF SPECIAL FISSIONABLE MATERIAL, CURRENTLY IN FORCE UNDER THE POLICY OF MY GOVERNMENT ARE FULLY CONSISTENT WITH THOSE SET OUT IN THE TWO MEMORANDA ARRIVED AT DURING THE SAID DISCUSSIONS. COPIES OF THOSE MEMORANDA
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ARE ENCLOSED.

MY GOVERNMENT WILL ADVISE YOUR GOVERNMENT IF THE SITUATION DESCRIBED IN THE FOREGOING PARAGRAPH SHOULD CHANGE. UNQUOTE.
NOTE MAY BE IN THIRD-PERSON FORM, IF PREFERRED.

5. ADDITIONAL STEP IS FOR EACH PARTICIPATING GOVERNMENT IN POSITION TO DO SO TO MAKE PUBLIC DECLARATION OF ADOPTION OF

THOSE EXPORT POLICIES SET FORTH IN THE COMMITTEE'S MEMORANDA BY SENDING "EXPURGATED" VERSIONS OF THE MEMORANDA TO THE IAEA DIRECTOR GENERAL UNDER COVER OF LETTER WHICH INCLUDES PRESCRIBED LANGUAGE, INCLUDING REQUEST TO BRING LETTER TO ATTENTION ALL MEMBERS OF IAEA. SUCH LETTERS AND THE STANDARD EXPURGATED MEMORANDA ARE PUBLISHED IN IAEA'S PUBLIC DOCUMENT INFCIRC/209, DATED 3 SEPTEMBER 1974. AT THAT TIME, TEN GOVERNMENTS HAD NOTIFIED THE AGENCY OF THEIR INTENT TO ACT IN ACCORD WITH THE COMMON MEMORANDA (AUSTRALIA, DENMARK, CANADA, FINLAND, NORWAY, USSR, UK, USA, FRG AND NETHERLANDS). AT VARIOUS SUBSEQUENT TIMES, EIGHT ADDITIONAL GOVERNMENTS HAVE SENT LETTERS TO THE DIRECTOR GENERAL AND THE IAEA HAS PUBLISHED THAT INFORMATION IN ADDENDA TO THE INITIAL INFCIRC/209 DOCUMENT (POLAND, GDR, HUNGARY, CZECHOSLOVAKIA, IRELAND, SWEDEN, LUXEMBOURG, AND AUSTRIA).

6. STANDARD TEXT OF THE LETTER APPROPRIATE FOR GOR TO USE IN TRANSMITTING EXPURGATED VERSIONS TO THE IAEA DIRECTOR GENERAL IS AS FOLLOWS:

QUOTE I HAVE THE HONOR TO INFORM YOU THAT THE GOVERNMENT OF HAS HAD UNDER CONSIDERATION PROCEDURES IN RELATION TO EXPORTS OF (A) SOURCE OR SPECIAL FISSIONABLE MATERIAL, AND (B) EQUIPMENT AND MATERIAL ESPECIALLY DESIGNED OR PREPARED FOR THE PROCESSING, USE OR PRODUCTION OF SPECIAL FISSIONABLE MATERIAL, IN THE LIGHT OF ITS COMMITMENT UNDER ARTICLE III, PARAGRAPH 2 OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS NOT TO PROVIDE SUCH ITEMS TO ANY NON-NUCLEAR-WEAPON STATE FOR PEACEFUL PURPOSES, UNLESS THE SOURCE OR SPECIAL FISSIONABLE MATERIAL IS SUBJECT TO SAFEGUARDS UNDER AN AGREEMENT WITH THE INTERNATIONAL ATOMIC ENERGY AGENCY.

THE GOVERNMENT OFHAS DECIDED TO ACT IN THIS CONTEXT IN ACCORDANCE WITH THE ATTACHED MEMORANDA.

I SHALL BE GRATEFUL IF YOU WILL BRING THIS INFORMATION TO THE ATTENTION OF ALL MEMBERS OF THE AGENCY. UNQUOTE.

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7. ALL OF THE EIGHTEEN GOVERNMENTS LISTED ABOVE HAVE EXCHANGED DIPLOMATIC NOTES WITH EACH OTHER, AS DESCRIBED IN PARA 3 ABOVE. JAPAN AND BELGIUM HAVE ALSO DONE SO, BUT HAVE NOT YET CONSIDERED THEMSELVES TO BE IN A POSITION, BECAUSE OF INTERNAL LEGAL AND POLITICAL CONSTRAINTS, TO MAKE PUBLIC THEIR ADOPTION OF THOSE POLICIES BY LETTER TO THE IAEA DIRECTOR GENERAL.

8. COPIES OF "UNEXPURGATED MEMORANDA" WHICH INCLUDE INFORMATION DEALING WITH COMMUNICATION OF ANNUAL REPORTS AND OTHER "HOUSEKEEPING" ARRANGEMENTS BEING POUCHED TO BUCHAREST, ALONG WITH COPIES IN ENGLISH AND FRENCH OF IAEA DOCUMENT INFCIRC/209 AND ITS ADDENDA.

NOTE: FRENCH LANGUAGE VERSION HAS ERROR IN PARA 5 OF MEMORANDUM A (PAGE 4). THE PARA SHOULD REFER INITIALLY TO EXPORTS OF SOURCE

OR SPECIAL FISSIONABLE MATERIAL TO A "NUCLEAR WEAPONS STATE," RATHER THAN A "NON-NUCLEAR-WEAPONS STATE." (FOR DEPT: UNEXPURGATED MEMORANDA ARE CONTAINED IN REF B.)

9. GOR MAY WISH TO CONTACT NPT EXPORTERS' COMMITTEE ACTING SECRETARY, MR DUNCAN SLATER, OR HIS DEPUTY, MS. ANGELA LLOYD, BOTH OF UK MISSION TO IAEA IN VIENNA FOR ASSISTANCE IN ARRANGEMENTS FOR EXCHANGE OF DIPLOMATIC NOTES WITH PARTICIPANTS. NORMALLY, SLATER WILL INFORM PARTICIPANTS OF INTENTIONS OF GOVERNMENT SEEKING TO PARTICIPATE AND PROPOSE DATE FOR SIMULTANEOUS EXCHANGE OF NOTES. LETTER TO IAEA DIRECTOR GENERAL IS USUALLY SENT THAT DATE, AS WELL.

10. MISSION WISHES POINT OUT THAT UNEXPURGATED VERSION OF COMMITTEE MEMORANDA CALLS FOR REVIEW NOT LATER THAN SEPT 1976. CURRENT PROSPECTS ARE FOR A WORKING-LEVEL PREPARATORY MEETING EARLY SEPT WITH FORMAL MEETING LATE OCTOBER. IF GOR WISHES TO PARTICIPATE IN THIS REVIEW, IT SHOULD CONTACT SLATER ASAP IN ORDER HAVE COMPLETED EXCHANGE OF DIPLOMATIC NOTES WITH TWENTY PARTICIPATING GOVERNMENTS BY TIME OF OCTOBER MEETING. STONE

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